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August 14, 2018

BY ECF & EMAIL

Judge Richard J. Sullivan
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2104
New York, New York 10007

Email: sullivannysdchambers@nysd.uscourts.gov

National Union Fire Insurance Company of Pittsburgh, Pa., American Home Assurance Company and The Insurance Company of the State of Pennsylvania (collectively, "National Union") v. BMC Stock Holdings, Inc. ("BMC")
Case No.: 1:18-cv-05777-RJS

Dear Judge Sullivan:

We write as counsel to Petitioners to inform the Court that a hearing is scheduled in the United States District Court for the Central District of California on Monday, August 27, 2018, on National Union's motion to stay BMC's action against National Union in that Court pending a decision from this Court on National Union's petition to compel arbitration. (CACD case no. 2:18-cv-04726). That motion was filed in accordance with this Court's July 3, 2018 Order that "[t]o the extent that Petitioners wish to stay the action filed by Respondent in the United States District Court for the Central District of California, they should file a motion to do so in that Court" (Docket No. 14), and relies upon the provision in the parties' agreement that "any action or proceeding concerning arbitrability, including motions to compel or to stay arbitration, may be brought only in a Court of competent jurisdiction in the City, County and State of New York." (Petition, Exhibit A, A0031).

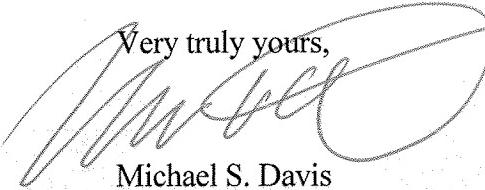
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National Union respectfully suggests that should this Court decide National Union's motion to compel arbitration before the August 27, 2018 hearing date, that decision could moot or otherwise be relevant to the August 27, 2018 hearing in California.

Thank you for your consideration.

Very truly yours,


Michael S. Davis

MSD:akc

cc: Allen R. Wolff, Esq., Anderson Kill P.C. (by email)
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